



Substitute Senate Bill No. 334

Public Act No. 16-173

AN ACT CONCERNING REVISIONS TO CERTAIN ENERGY PURCHASING POOL AND LIFE-CYCLE COST ANALYSES STATUTES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subdivision (2) of subsection (e) of section 4a-57 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) Any purchase of or contract by the department for electric generation services that are subject to competitive bidding and competitive negotiations shall be conducted in cooperation with the [Office of Policy and Management] Department of Energy and Environmental Protection pursuant to section 16a-14e, as amended by this act.

Sec. 2. Section 16a-14e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[(a)] The Department of Energy and Environmental Protection shall operate a purchasing pool for the purchase of electricity for state operations. [and the operations of any municipality in the state that elects to participate in such purchasing pool. In connection with the operation of such purchasing pool, the Commissioner of Energy and

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Environmental Protection may solicit proposals from electric suppliers and as authorized pursuant to subsection (e) of this section, on behalf of any state agency, municipality or institution of higher education for electric generation services to purchase electricity for state and municipal operations and to meet the state's energy policy goals, as established in the comprehensive energy strategy adopted by the commissioner.] Said department shall provide the opportunity to participate in such purchasing pool to each household that includes an individual who receives means-tested assistance administered by the state or federal government. Any such household shall receive through such purchasing pool the same benefits and rate discounts available for state facilities. The Department of Energy and Environmental Protection shall use federal and state energy assistance funds to leverage the lowest practicable electric rates for households participating in such pool, provided such funds shall not be used for administrative purposes. [The commissioner may make grants available to municipalities that join such pool and commit to achieving the state diversion, recycling and reuse goals in accordance with sections 22a-220 and 22a-241a and the state-wide solid waste management plan adopted and amended pursuant to section 22a-228.] The provisions of section 16-245 shall not apply to the Department of Energy and Environmental Protection for purposes of this section.

[(b) In connection with the operation of the purchasing pool described in subsection (a) of this section, on or before January 1, 2020, the Commissioner of Energy and Environmental Protection shall solicit, on behalf of state agencies and any municipality or institution of higher education that elects to participate in such purchasing pool, in one or more solicitations, proposals from retail electric suppliers and as authorized pursuant to subsection (e) of this section for electric supply, provided at least one solicitation occurs on or before January 1, 2015. For any solicitation issued for a purchasing pool of three hundred seventy thousand megawatt hours per year or less, proposals

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submitted in response to such solicitation shall include not less than sixty per cent of electric generation supplied from Class II renewable energy sources, as defined in section 16-1, that originate from trash-to-energy facilities constructed on or before January 1, 2013, and that are permitted pursuant to section 22a-208a. Selection criteria for such services shall include, but are not limited to: (1) The delivered price of such service, (2) the Class II renewable energy facility's practices in furtherance of the state's diversion, reduction, reuse and recycling goals that are consistent with sections 22a-220 and 22a-241a and the state-wide solid waste management plan adopted and amended pursuant to section 22a-228, (3) the degree to which a proposal includes a greater percentage of trash-to-energy in the fuel mix, and (4) the degree to which a proposal includes a greater number of trash-to-energy facilities. On or before January 1, 2020, the commissioner shall, through one or more solicitations, select the proposals that meet the requirements of this subsection to satisfy, for a total period of not less than five consecutive years, not less than three hundred seventy thousand megawatt hours per year of electric supply, provided such proposals include sixty per cent of electric generation supplied from Class II renewable energy sources, as described in this subsection, and otherwise meet the requirements of this subsection. Any proposals for such electric supply service selected by the commissioner shall be for a period of not more than five years and at a price not higher than one-half cent per kilowatt hour above the price for standard generation service at the time any such solicitation is issued. In the event that no proposals include sixty per cent or more of electric generation supplied from Class II renewable energy sources, as defined in section 16-1, that originate from trash-to-energy facilities constructed on or before January 1, 2013, and that are permitted pursuant to section 22a-208a, the commissioner may select the proposal or proposals with the highest percentage of electric generation supplied from such Class II renewable energy sources, provided the price does not exceed one-half cent per kilowatt hour above the price for standard generation service

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at the time any such solicitation is issued.

(c) In the event that the pool authorized pursuant to subsection (a) of this section exceeds three hundred seventy thousand megawatt hours per year of electric supply, the commissioner may select an amount using the selection criteria contained in subsection (b) of this section, provided the requirement contained in subsection (b) of this section for sixty per cent of such electric generation supplied from Class II renewable energy sources shall not apply to any such amount of such pool that exceeds three hundred seventy thousand megawatt hours per year.

(d) For the purposes of subdivisions (17) and (18) of subsection (b) of section 7-233e, the purchasing pool described in subsection (a) of this section and any energy improvement district described in section 32-80a shall be deemed to be included in the entities that constitute electric power entities.

(e) Notwithstanding the provisions of subsection (g) of section 16-245c, a municipal electric energy cooperative is authorized to and may provide and supply electric generation services to those entities that constitute electric power entities, as described in subsection (d) of this section, provided any such cooperative shall comply with the renewable energy procurement requirements of sections 16-243q and 16-245a with respect to the electric generation services supplied to such entities, and further provided all costs directly associated with seeking to provide or providing such electric generation services, and all costs otherwise reasonably allocable to seeking to provide or providing such electric generation services, are excluded from the costs that such electric energy cooperative charges any other electric energy cooperative participant. Any such cooperative shall not be subject to the provisions of section 16-245.]

Sec. 3. Subdivision (2) of subsection (a) of section 16a-37x of the

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general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(2) "Cost effective" means the savings resulting from [an] energy-savings [measure] measures outweigh the costs of such [measure] measures, including, but not limited to, any financing costs, provided the payback period for any financing provided pursuant to this section is less than the functional life of the proposed energy-savings measure and the payback period for the comprehensive package of measures does not exceed [fifteen] twenty years.

Sec. 4. Section 16a-38 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) As used in this section, subsection (e) of section 4b-23, as amended by this act, sections 16a-38a, as amended by this act, and 16a-38b, as amended by this act, unless the context otherwise requires: (1) "Major capital project" means the construction or renovation of a major facility; (2) "major facility" means any building owned by the state or constructed or renovated wholly or partly with state funds, including a state-financed housing project, which is used or intended to be used as a school or which has ten thousand or more gross square feet, or any other building so owned, constructed or renovated which is designated a major facility by the Commissioner of Administrative Services; (3) "renovation" means additions, alterations or repairs to a major facility which the Commissioner of Administrative Services finds will have a substantial effect upon the energy consumption of the facility; (4) "life-cycle cost" means the cost, as determined by the methodology identified in the National Institute of Standards and Technology's special publication 544 and interagency report 80-2040, available as set forth in the Code of Federal Regulations, Title 15, Part 230, of a major facility including the initial cost of its construction or renovation, the marginal cost of future energy capacity, the cost of the energy consumed by the facility over its expected useful life or, in the

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case of a leased facility, over the remaining term of the lease, and the cost of operating and maintaining the facility as such cost affects energy consumption; (5) "energy performance standard" means a rate of energy consumption which is the minimum practically achievable, on a life-cycle cost basis, by adjusting maintenance or operating procedures, modifying a building's equipment or structure and utilizing renewable sources of energy; (6) "energy audit" means an evaluation of, recommendations for and improvements of the energy consumption characteristics of all passive, active and operational energy systems and components by demand and type of energy used including the internal energy load imposed on a building by its occupants, equipment and components, and the external energy load imposed on a building by the climatic conditions at its location; (7) "renewable sources of energy" means energy from direct solar radiation, wind, water, geothermal sources, wood and other forms of biomass; (8) "cost effective" means that savings exceed cost over a ten-year period; (9) "state agency" means any department, board, commission, institution, or other agency of this state; and (10) "covered products" means the consumer products set forth as covered products in the Energy Policy and Conservation Act, 42 USC 6292.

[(b) (1) Except as provided in subsection (f) of this section, the Commissioner of Administrative Services and the Commissioner of Energy and Environmental Protection shall jointly establish and publish standards for life-cycle cost analyses required by this section for buildings owned or leased by the state. Such life-cycle cost analyses for buildings shall provide, but shall not be limited to, information on the estimated initial cost of each energy-consuming system being compared and evaluated, annual operating and maintenance costs of all energy-consuming systems over the useful life of the building, cost of energy, salvage value and the estimated replacement cost for each energy-consuming system or component expressed in annual terms for the useful life of the building.

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(2) Except as provided in subsection (f) of this section, the Commissioner of Administrative Services and the Commissioner of Energy and Environmental Protection may jointly establish and publish standards for life-cycle cost analyses required by this section for equipment and appliances owned or leased by the state which are not covered products, and for such equipment and appliances which are covered products. In establishing such standards, the commissioners shall consider the criteria set forth in subsection (j) of this section.

(c) No state agency shall obtain preliminary design approval for a major capital project unless the Commissioner of Administrative Services makes a written determination that the design is cost effective on a life-cycle cost basis. To make such a determination, the commissioner (1) shall require documentation that the design meets or exceeds the standards set forth in the National Bureau of Standards Handbook 135, or subsequent corresponding handbook of the United States Department of Commerce and the State Building Code, and (2) may require additional documentation, including, but not limited to, a life-cycle cost analysis that complies with the standards established pursuant to subdivision (1) of subsection (b) of this section.

(d) All design proposals for major capital projects shall include at least two differing energy systems for space heating, cooling and hot water to supplement the passive features designed into the building. Such proposals may include computer or other analytical modeling or simulation but shall not be construed to require the development of architectural or mechanical design plans for each such system. All cost evaluations of the competing energy systems shall be based on life-cycle costs. A life-cycle cost analysis for each competing energy system determined by the Commissioner of Administrative Services to meet the standards of subsection (b) of this section shall be included as part of the design proposal for all projects. No major capital project shall be

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approved by the Commissioner of Administrative Services or by the State Properties Review Board pursuant to section 4b-23, after June 30, 1980, unless the proposed project achieves to the maximum extent practicable the energy performance standards established in accordance with subsection (b) or (g) of this section.

(e) All applications for state funding of major capital projects shall be accompanied by a life-cycle cost analysis which the Commissioner of Administrative Services has determined complies with the standards established pursuant to subsection (b) of this section. The Commissioner of Administrative Services or the Commissioner of Energy and Environmental Protection may require such a life-cycle cost analysis for projects other than major capital projects.]

[(f)] (b) The Commissioner of Economic and Community Development and the Commissioner of Energy and Environmental Protection shall jointly establish and publish energy performance standards for buildings constructed as part of state-owned and state-financed housing projects and establish standards for life-cycle cost analyses for such projects. In establishing such standards, the commissioners shall consider (1) the coordination, positioning and solar orientation of the project on its situs, (2) the amount of glazing, degree of sun shading and direction of exposure, (3) the levels of insulation incorporated into the design, (4) the variable occupancy and operating conditions of the facility, (5) all architectural features which affect energy consumption, and (6) the design and location of all heating, cooling, hot water and electrical systems.

[(g)] (c) [Notwithstanding any provision in this section concerning the review of life-cycle cost analyses by the Commissioner of Administrative Services, a] A life-cycle cost analysis of a major capital project prepared for the Department of Housing shall be reviewed by the Commissioner of Economic and Community Development and the Commissioner of Energy and Environmental Protection to determine if

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such analysis is in compliance with the life-cycle cost analyses standards established for such project under subsection [(f)] (b) of this section.

[(h)] (d) Each state agency preparing a life-cycle cost analysis under this section shall submit a summary of the analysis to the Commissioner of Energy and Environmental Protection.

[(i)] Except as provided in subsection (f) of this section, the Commissioner of Administrative Services and the Commissioner of Energy and Environmental Protection shall jointly establish and publish energy performance standards for existing and new buildings owned or leased by the state. Such standards shall require maximum efficiency in energy use in all such buildings and maximum practicable use of renewable sources of energy in all such buildings. In establishing such standards, the commissioners shall consider (1) the coordination, positioning and solar orientation of the project on its situs, (2) the amount of glazing, degree of sun shading and direction of exposure, (3) the levels of insulation incorporated into the design, (4) the variable occupancy and operating conditions of the facility, (5) all architectural features which affect energy consumption, and (6) the design and location of all heating, cooling, hot water and electrical systems.

(j) Except as provided in subsection (f) of this section, the Commissioner of Administrative Services and the Commissioner of Energy and Environmental Protection may jointly establish and publish energy performance standards for equipment and appliances owned or leased by the state which are not covered products, and for such equipment and appliances which are covered products. Any such standards shall require maximum energy efficiency for all such equipment and appliances and, for equipment and appliances owned or leased by the state which are covered products, shall be more stringent than the corresponding federal energy conservation

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standards set forth in the Energy Policy and Conservation Act, 42 USC 6295, or federal regulations adopted thereunder. In establishing such standards, the commissioners shall consider, without limitation, (1) the initial cost of the equipment or appliance, (2) the projected useful lifetime of the equipment or appliance, (3) the projected cost of the energy that the equipment or appliance will consume over its projected useful lifetime, (4) the estimated operating costs for maintenance and repair, over the projected useful lifetime of the equipment or appliance, and (5) the positive or negative salvage value of the equipment or appliance upon disposal at the conclusion of its projected useful lifetime.

(k) Any life-cycle cost analysis standards established pursuant to subdivision (2) of subsection (b) of this section and any energy performance standards established pursuant to subsection (j) of this section shall be implemented in accordance with the purchasing requirements set forth in chapter 58, and any regulations adopted thereunder, and the provisions of this section and section 16a-38j.]

Sec. 5. Section 4a-56 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

The Commissioner of Administrative Services or his designee may classify the requirements of the state government for supplies, materials and equipment which may be purchased by the state and may adopt as standards the minimum number of qualities, sizes and varieties of such supplies, materials and equipment consistent with the successful operation of the state government. If the commissioner adopts any such standards, the commissioner shall prepare, adopt and promulgate written specifications describing such standards, provided specifications shall not be required for any supplies, materials or equipment for which the commissioner determines that the cost of preparing specifications would outweigh the benefits. In the preparation and revision of any such standard specification, the

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commissioner or his designee may seek the advice, assistance and cooperation of the state agencies concerned in order to ascertain their precise requirements. Each specification adopted for any commodity shall satisfy the requirements of the state departments, agencies and institutions which are to make use of the same, unless the commissioner approves a waiver of the specification and states the reason for the waiver in writing. In developing specifications for the purchase of motor vehicles, the commissioner or his designee shall consider motor vehicles using alternative fuels. The commissioner may adopt [the] energy performance standards. [established pursuant to subsection (j) of section 16a-38.]

Sec. 6. Section 4a-67c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

The Department of Administrative Services and each other budgeted agency, as defined in section 4-69, exercising procurement authority shall procure equipment and appliances for state use that meet or exceed the federal energy conservation standards set forth in the Energy Policy and Conservation Act, 42 USC 6295, any federal regulations adopted thereunder, any applicable energy performance standards [established in accordance with subsection (j) of section 16a-38] and meet or exceed the federal Energy Star standards. Purchases of equipment and appliances for which energy performance standards have been established [pursuant to subsection (j) of section 16a-38] shall be (1) made from among those specific models of equipment and appliances which meet such standards, and (2) based, when possible, on competitive bids. Such bids shall be evaluated on the basis of the life-cycle cost standards, if any. [, established pursuant to subsection (b) of section 16a-38.]

Sec. 7. Subsection (a) of section 4b-23 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

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(a) As used in this section, "facility" means buildings and real property owned or leased by the state. The Secretary of the Office of Policy and Management shall establish guidelines which further define such term. All agencies and departments of the state shall notify the Secretary of the Office of Policy and Management of their facility needs including, but not limited to, the types of such facilities and the municipalities or general location for the facilities. Each agency and department shall continue long-range planning for facility needs, establish a plan for its long-range facility needs and submit such plan and related facility project requests to the Secretary of the Office of Policy and Management, and a copy thereof to the Commissioner of Administrative Services, on or before September first of each even-numbered year. Each such request shall be accompanied by a capital development impact statement, as required by section 4-66b, and a colocation statement, as required by section 4b-31, if the secretary so requires. Each agency and department shall base its long-term planning for facility needs on a program plan. The secretary shall establish a content guide and schedule for such plans. Each agency and department shall prepare its program plan in accordance with such guide and file it with the secretary pursuant to such schedule. Facility plans shall include, but not be limited to: Identification of (1) long-term and short-term facility needs, (2) opportunities for the substitution of state-owned space for leased space, (3) facilities proposed for demolition or abandonment which have potential for other uses, (4) space modifications or relocations that could result in cost or energy savings, and (5) facilities known to be brownfields. Each agency or department program plan and facility plan and its facility project requests shall cover a period of at least five years. The secretary shall provide agencies and departments with instructions for preparing program plans, long-term facility plans and facility project requests and shall provide appropriate programmatic planning assistance. The Commissioner of Administrative Services shall assist agencies and departments with long-term facilities planning and the preparation of

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cost estimates for such plans and requests. The Secretary of the Office of Policy and Management shall review such plans and prepare an integrated state facility plan which meets the aggregate facility needs of the state. The secretary shall review the cost effective retrofit measures recommended to the secretary by the Commissioner of Administrative Services [under subsection (b) of section 16a-38a,] and include in the plan those measures which would best attain [the] any applicable energy performance standards. [established under subdivision (1) of subsection (b) of section 16a-38.]

Sec. 8. Subsection (e) of section 4b-23 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(e) Implementation of the state facility plan shall be the responsibility of the Commissioner of Administrative Services who shall conduct a study of each proposed facility in the plan to determine: (1) The method of choice for satisfying each such facility need, (2) the geographical areas best suited to such need, (3) the feasibility and cost of such acquisition using a life-cycle cost analysis, [as established by subdivision (2) of subsection (b) of section 16a-38,] (4) the degree to which the plan promotes the goals addressed in subsection (e) of section 4b-31, and (5) any other relevant factors. Said commissioner shall review and approve each facility plan implementation action and shall submit to the Properties Review Board a list of each such action approved and the method and plan by which it shall be accomplished. Said commissioner shall endeavor to locate human services agencies in the same buildings as municipal and private agencies that provide human services. The results of said commissioner's study along with all supportive materials shall be immediately sent to the Properties Review Board. The board shall meet to review the decision of the commissioner and may request the commissioner or any member of the commissioner's department, and

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the head of the requesting agency or any of his or her employees to appear for the purpose of supplying pertinent information. Said board shall call a meeting not later than two weeks after the receipt of the commissioner's decision, and may meet as often as necessary, to review said decision. The board, not later than ninety days after the receipt of the decision of the Commissioner of Administrative Services, shall either accept, reject or request modification of such decision, except that when more time is required, the board may have a ninety-day extension of time, provided the board shall advise the Commissioner of Administrative Services in writing as to the reasons for such extension of time. If such decision is disapproved by the board, it shall so inform the commissioner along with its reasons therefor, and the commissioner shall inform the head of the requesting agency and the Secretary of the Office of Policy and Management that its request has been rejected. If such decision is approved by the board it shall inform the commissioner of such approval and the commissioner shall immediately communicate his decision to the head or acting head of such governmental unit and to the Secretary of the Office of Policy and Management and shall set forth the procedures to be taken to accomplish the results of such decision. The decision to make public such decision shall rest solely with the Commissioner of Administrative Services both as to time and manner of disclosure, but in no event shall such period exceed one year. The commissioner shall, when he or she deems it to be in the public interest, authorize the disclosure of such information; however, in the absence of such authorization, any unauthorized disclosure shall be subject to the criminal provisions of section 4b-27. All decisions made by the commissioner under the provisions of this section shall require review by the board. Except as otherwise hereinafter provided, the approval or disapproval of the Properties Review Board shall be binding on the commissioner and the requesting agency with regard to the acquisition of any real estate by lease or otherwise, notwithstanding any other statute or special act to the contrary. A majority vote of the board shall

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be required to accept or reject a decision of the commissioner.

Sec. 9. Subsection (m) of section 4b-23 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(m) (1) Plans to construct, renovate or modify state-owned or occupied buildings shall provide for a portion of the total planned floor area of newly constructed state buildings or buildings constructed specifically for use by the state to be served by renewable sources of energy, including solar, wind, water and biomass sources, for use in space heating and cooling, domestic hot water and other applications. For the plan due December 1, 1979, the portion to be served by renewable energy sources shall be not less than five per cent of total planned new floor area. For each succeeding state facilities plan submitted after December 1, 1979, the portion of the total planned floor area of any additional newly constructed state buildings or buildings constructed specifically for use by the state to be served by renewable energy sources shall be increased by at least five per cent per year until a goal of fifty per cent of total planned floor area of any additional newly constructed state buildings or buildings constructed specifically for use by the state is reached. For any facility served by renewable energy sources in accordance with this subsection, not less than thirty per cent of the total energy requirements of any specific energy application, including, but not limited to, space heating or cooling and providing domestic hot water, shall be provided by renewable energy sources. The installation in newly constructed state buildings or buildings constructed specifically for use by the state of systems using renewable energy sources in accordance with this subsection, shall be subject to [the] a life-cycle cost analysis. [provided for in section 16a-38.] (2) The state shall fulfill the obligations imposed by subdivision (1) of this subsection unless such action would cause an undue economic hardship to the state.

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Sec. 10. Subsection (a) of section 10-284 of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) The Commissioner of Administrative Services shall have authority to receive and review applications for state grants under this chapter, and to approve any such application, or to disapprove any such application if (1) it does not comply with the requirements of the State Fire Marshal or the Department of Public Health, (2) it is not accompanied by a life-cycle cost analysis approved by the Commissioner of Administrative Services, [pursuant to section 16a-38,] (3) it does not comply with the provisions of sections 10-290d and 10-291, (4) it does not meet (A) the standards or requirements established in regulations adopted in accordance with section 10-287c, or (B) school building categorization requirements described in section 10-283, (5) the estimated construction cost exceeds the per square foot cost for schools established in regulations adopted by the Commissioner of Administrative Services for the county in which the project is proposed to be located, (6) on and after July 1, 2014, the application does not comply with the school safety infrastructure criteria developed by the School Safety Infrastructure Council, pursuant to section 10-292r, except the Commissioner of Administrative Services may waive any of the provisions of the school safety infrastructure criteria if the commissioner determines that the application demonstrates that the applicant has made a good faith effort to address such criteria and that compliance with such criteria would be infeasible, unreasonable or excessively expensive, or (7) the Commissioner of Education determines that the proposed educational specifications for or theme of the project for which the applicant requests a state grant duplicates a program offered by a technical high school or an interdistrict magnet school in the same region.

Sec. 11. Subsection (a) of section 16a-37u of the general statutes is

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repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) The Commissioner of Energy and Environmental Protection shall be responsible for planning and managing energy use in state-owned and leased buildings and shall establish a program to maximize the efficiency with which energy is utilized in such buildings. The commissioner shall exercise this authority by (1) preparing and implementing annual and long-range plans, with timetables, establishing goals for reducing state energy consumption and, based on energy audits, specific objectives for state agencies to meet [the] any applicable performance standards; [adopted under section 16a-38;] (2) coordinating federal and state energy conservation resources and activities, including but not limited to, those required to be performed by other state agencies under this chapter; and (3) monitoring energy use and costs by budgeted state agencies on a monthly basis.

Sec. 12. Subsection (e) of section 16a-37u of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(e) Not later than January fifth, annually, the commissioner shall submit a report to the Governor and the joint standing committee of the General Assembly having cognizance of matters relating to energy planning and activities. The report shall (1) indicate the total number of energy audits and technical assistance audits of state-owned and leased buildings, (2) summarize the status of the energy conservation measures recommended by such audits, (3) summarize all energy conservation measures implemented during the preceding twelve months in state-owned and leased buildings which have not had such audits, (4) analyze the availability and allocation of funds to implement the measures recommended under subdivision (2) of this subsection, (5) list each budgeted agency, as defined in section 4-69, which occupies a state-owned or leased building and has not

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cooperated with the Commissioner of Administrative Services and the Commissioner of Energy and Environmental Protection in conducting energy and technical assistance audits of such building and implementing operational and maintenance improvements recommended by such audits and any other energy conservation measures required for such building by the Commissioner of Energy and Environmental Protection, in consultation with the Secretary of the Office of Policy and Management, (6) summarize all life-cycle cost analyses [prepared under section 16a-38] during the preceding twelve months, and summarize agency compliance with the life-cycle cost analyses, and (7) identify any state laws, regulations or procedures that impede innovative energy conservation and load management projects in state buildings. Any such report may be submitted electronically.

Sec. 13. Subsection (b) of section 16a-38a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(b) (1) The Commissioner of Administrative Services shall review and evaluate the energy audits completed in accordance with this section and shall, within six months, recommend to the Commissioner of Energy and Environmental Protection buildings for cost effective retrofit measures to enable such buildings to attain [the] any applicable energy performance standards. [established under subdivision (1) of subsection (b) of section 16a-38.] (2) It shall be a goal that beginning not later than July 1, 1982, work to retrofit at least twenty per cent of the total floor area of existing state-owned buildings for energy conservation shall be commenced in each fiscal year. Where technically feasible, renewable sources of energy shall be used for space heating and cooling, domestic hot water and other applications. (3) It shall be a goal that not later than June 30, 1991, all state-owned buildings be the subject of such energy conservation and renewable energy retrofit measures as will enable them to meet [the] any applicable energy

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performance standards. [established in accordance with subdivision (1) of subsection (b) of section 16a-38.]

Sec. 14. Section 16a-38b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

The Commissioner of Administrative Services and the Commissioner of Energy and Environmental Protection shall take such actions as may be necessary or appropriate to enable all state facilities to meet [the] any applicable energy performance standards. [established in accordance with subdivision (1) of subsection (b) of section 16a-38.]

Sec. 15. Subsection (b) of section 16a-38h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(b) In selecting buildings to lease for state use, the Commissioner of Administrative Services shall give preference to buildings which meet any applicable energy performance standards, [established in accordance with subdivision (1) of subsection (b) of section 16a-38,] including buildings which use solar heating and cooling equipment or other renewable energy sources and which otherwise minimize life-cycle costs.

Sec. 16. Subsection (a) of section 16a-38i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) The energy performance standards established by the Commissioner of Administrative Services and the Commissioner of Energy and Environmental Protection [pursuant to section 16a-38] shall require that the Commissioner of Administrative Services, in consultation with the Commissioner of Energy and Environmental Protection, establish a process for calculating annually, from currently

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available data, the average energy use per square foot in state buildings.

Sec. 17. Section 16a-38j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

The Department of Administrative Services, in consultation with the Commissioner of Energy and Environmental Protection, shall adopt regulations, in accordance with the provisions of chapter 54, establishing criteria to be used by each state agency in selecting equipment for use in state buildings. Such criteria shall include a life-cycle cost analysis. Such criteria for equipment for which energy performance standards have been established [pursuant to subsection (j) of section 16a-38] shall include such energy performance standards.

Sec. 18. Subsection (b) of section 17b-801 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The commissioner shall administer a state-appropriated weatherization assistance program to provide, within available appropriations, weatherization assistance in accordance with the provisions of the state plan implementing the weatherization assistance block grant program authorized by the federal Low-Income Home Energy Assistance Act of 1981, and programs of fuel assistance and weatherization assistance with funds authorized by the federal Low-Income Home Energy Assistance Act of 1981 [and by the U.S. Department of Energy in accordance with 10 CFR Part 440 promulgated under Title IV of the Energy Conservation and Production Act, as amended,] and oil settlement funds in accordance with subsections (b) and (c) of section 4-28. The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, (1) establishing priorities for determining which households shall receive such weatherization assistance, (2) requiring that the only criterion for

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determining which energy conservation measures shall be implemented pursuant to this subsection in any such dwelling unit shall be the simple payback calculated for each energy conservation measure recommended in the energy audit conducted for such unit, (3) establishing the maximum allowable payback period for such energy conservation measures, and (4) establishing conditions for the waiver of the provisions of subdivisions (1) to (3), inclusive, of this subsection in the event of emergencies. The programs provided for under this subsection shall include a program of fuel and weatherization assistance for emergency shelters for homeless individuals and victims of domestic violence. The commissioner may adopt regulations, in accordance with the provisions of chapter 54, to implement and administer the program of fuel and weatherization assistance for emergency shelters.

Approved June 7, 2016